

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

MARY SEGUIN, *pro se*  
*Plaintiff*

v.

RHODE ISLAND DEPARTMENT OF  
HUMAN SERVICES in its official  
capacity; MICHAEL D. COLEMAN,  
DEBORAH A. BARCLAY in their  
individual and official capacities;  
RHODE ISLAND OFFICE OF CHILD  
SUPPORT SERVICES in its official  
capacity; KEVIN TIGHE, MONIQUE  
BONIN, FRANK DIBIASE, WENDY  
FOBERT, KARLA CABALLEROS,  
TIMOTHY FLYNN, LISA  
PINSONNEAULT, CARL  
BEAUREGARD, PRISCILLA  
GLUCKSMAN, JOHN LANGLOIS,  
PAUL GOULD, in their individual and  
official capacities; RHODE ISLAND  
STATE COURT SYSTEM in its official  
capacity; PAUL A. SUTTELL in his  
individual and official capacity as  
Executive Head of Rhode Island State  
Court System; RHODE ISLAND  
ADMINISTRATIVE OFFICE OF STATE  
COURTS in its official capacity;  
RHODE ISLAND ADMINISTRATIVE  
OFFICE OF THE SUPERIOR COURT in  
its official capacity; RHODE ISLAND  
JUDICIAL COUNCIL in its official  
capacity; RHODE ISLAND SUPERIOR  
COURT in its official capacity; RHODE  
ISLAND SUPERIOR COURT JUDICIAL  
COUNCIL in its official capacity; THE  
JUDICIAL TECHNOLOGY CENTER in  
its official capacity; JULIE HAMIL,  
MARISA BROWN, JOHN JOSEPH  
BAXTER, JR., JUSTIN CORREA in  
their individual and official capacities;

C.A. No. 23-cv-126-WES-PAS

**RHODE ISLAND OFFICE OF THE** :  
**ATTORNEY GENERAL in its official** :  
**capacity; RHODE ISLAND OFFICE OF** :  
**THE ATTORNEY GENERAL OPEN** :  
**GOVERNMENT UNIT in its official** :  
**capacity; ADAM D. ROACH,** :  
**PETER NERONHA in their official and** :  
**individual capacities;** :  
**TYLER TECHNOLOGIES, INC.;** :  
**GERO MEYERSIEK** :  
*Defendants* :

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**STATE DEFENDANTS' OBJECTION TO PLAINTIFF'S RULE 59 MOTION**  
**FOR A NEW TRIAL**

Defendants, The Rhode Island Department of Human Services (hereinafter "DHS") and The Rhode Island Office of Child Support Services (hereinafter "OCSS") (hereinafter collectively, "State Defendants"), in response to Plaintiff's Motion for a New Trial, which was filed on November 17, 2023. State Defendants object to Plaintiff's Motion, ECF 34.

Plaintiff did not specify which section of Federal Rule 59 she is bringing her motion for a new trial under. Assuming that Plaintiff is bringing her motion under "[Federal Rule of Civil Procedure] 59(e), a motion for reconsideration will only be granted if 'the original judgment entered evidenced a manifest error of law, if there is newly discovered evidence, or in certain other narrow situations.'" *In re Telexfree Secs. Litig.*, No. 4:16-02566-TSH, 2023 WL 374332, at \*1 (D. Mass. Jan. 24, 2023) (quoting *Global Naps, Inc. v. Verizon New England, Inc.*, 489 F.3d 13, 25 (1st Cir. 2007)). Plaintiff principally argues that the Court should have stayed, rather than dismissed, her action because she is seeking only monetary damages. Monetary claims should be stayed if a plaintiff will not have an opportunity to bring those claims in the state court proceeding.

See, e.g., *Sprint Commns, Inc. v. Jacobs*, 571 U.S. 69, 78 (2013) (noting that the doctrine of Younger abstention "preclude[s] federal intrusion into ongoing state criminal prosecutions." (emphasis added)); *Deakins v. Monaghan*, 484 U.S. 193, 202 (1988) ("We need not decide the extent to which the Younger doctrine applies to a federal action seeking only monetary relief, however, because even if the Younger doctrine requires abstention here, the District Court has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding. (emphasis added)); *Kyricopoulos v. Town of Orleans*, 967 F.2d 14, 15 n.1 (1st Cir. 1992) (per curiam) ("As for § 1983 damages actions, it is appropriate to stay the federal action pending the conclusion of the state criminal proceedings." (emphasis added)). Plaintiff fails to demonstrate that she cannot bring her monetary claims before the state court below.

Moreover, Plaintiff acknowledges that she filed this Motion, ECF 34, after she appealed the Court's judgment in its entirety. State Defendants respectfully asks this Court to deny Plaintiff's Motion for a New Trial for the reasons stated herein, or in the alternative, stay Plaintiff's Motion until Plaintiff's appeal is resolved.

Respectfully Submitted,

**RHODE ISLAND DEPARTMENT  
OF HUMAN SERVICES; RHODE  
ISLAND OFFICE OF CHILD  
SUPPORT SERVICES,**

By:

**PETER F. NERONHA  
ATTORNEY GENERAL**

/s/ Marissa D. Pizaña

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 28, 2023, I filed the within document via the ECF filing system and that a copy is available for viewing and downloading.

/s/ Marissa D. Pizaña